



**PLANNING COMMISSION  
MINUTES**

**REGULAR MEETING  
April 23, 2013**

The Planning Commission convened in a regular meeting on April 23, 2013 @ 301 W. 2<sup>nd</sup> Street, Austin, Texas 78701

Chair Dave Anderson called the Board Meeting to order at 6:02 p.m.

**Board Members in Attendance:**

**Dave Anderson - Chair**

**Danette Chimenti – Vice-Chair**

**Richard Hatfield**

**Alfonso Hernandez**

**James Nortey**

**Stephen Oliver**

**Brian Roark**

**Myron Smith**

**Jean Stevens**

**Howard Lazarus – Ex-Officio Member**

**Jeff Jack – Ex-Officio Member**

**EXECUTIVE SESSION (No public discussion)**

The Planning Commission will announce it will go into Executive Session, if necessary, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel on matters specifically listed on this agenda. The commission may not conduct a closed meeting without the approval of the city attorney.

Private Consultation with Attorney – Section 551.071

**A. CITIZEN COMMUNICATION: GENERAL**

No Speakers.

**B. APPROVAL OF MINUTES**

1. Approval of minutes from April 9, 2013.

The motion to postpone to May 14, 2013 by the request of the Commission, was approved on the consent agenda by Commissioner Jean Stevens' motion, Commissioner Richard Hatfield seconded the motion on a vote of 9-0.

## C. PUBLIC HEARINGS

1. **Briefing::** **Waller Creek Conservancy Update**  
Request: Briefing on the Waller Creek Conservancy Update.  
Staff: Stephanie Lee McDonald, 512-541-3514, [slmcdonald@wallercreek.org](mailto:slmcdonald@wallercreek.org);  
Waller Creek Conservancy

Briefing given by Stephanie Lee McDonald.

2. **Code Amendment:** **C20-2012-021 - Heli-Facilities**  
Owner/Applicant: City of Austin  
Agent: Planning and Development Review Department (Jerry Rusthoven)  
Request: Amend Chapter 25-2 of the City Code related to heli-facilities.  
Staff Rec.: **Recommended**  
Staff: Jerry Rusthoven, 974-3207, [jerry.rusthoven@austintexas.gov](mailto:jerry.rusthoven@austintexas.gov);  
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation to amend Chapter 25-2 related to heli-facilities, was approved on the consent agenda by Commissioner Jean Stevens' motion; Commissioner Richard Hatfield seconded the motion on a vote of 9-0.

3. **Code Amendment:** **C20-2013-007 - Short-Term Rentals**  
Owner/Applicant: City of Austin  
Agent: Planning and Development Review Department (Jerry Rusthoven)  
Request: Amend Chapter 25-2 of the City Code to improve compliance, notification, enforcement, and efficiency of short-term rental regulations.  
Staff Rec.: **Recommended**  
Staff: Jerry Rusthoven, 974-3207, [jerry.rusthoven@austintexas.gov](mailto:jerry.rusthoven@austintexas.gov);  
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation to amend Chapter-2 related to Short-Term Rentals, was approved by Commissioner Danette Chimenti's motion, Commissioner Jean Stevens seconded the motion on a vote of 8-1; Commissioner James Nortey voted against the motion (nay).

4. **Plan Amendment:** **NPA-2012-0021.01 - 1100 Manlove St. NPA**  
Location: 1100 Manlove Street, Harper's Branch Watershed, East Riverside/Oltorf Combined NPA  
Owner/Applicant: John Schuler c/o Schuler Family Trust of 1998  
Agent: Thrower Design (A. Ron Thrower)  
Request: Single Family to Neighborhood Mixed Use land use  
Staff Rec.: **Not Recommended**  
Staff: Maureen Meredith, 974-2695, [maureen.meredith@austintexas.gov](mailto:maureen.meredith@austintexas.gov);  
Planning and Development Review Department

This item was withdrawn by the applicant on April 23, 2013; no action was required.

- 5. Plan Amendment: NPA-2012-0015.01 - Street and Bridge Operations Central District Office**
- Location: 3511 Manor Road, Tannehill Branch Watershed, East MLK Jr. Combined NPA
- Owner/Applicant: City of Austin, Public Works Dept.
- Agent: City of Austin, Public Works Department (Peter Davis)
- Request: Mixed Use to Civic land use
- Staff Rec.: **Recommended. The application was withdrawn by applicant on 4/2/2013 because revised zoning change request does not need FLUM change.**
- Staff: Maureen Meredith, 974-2695, [maureen.meredith@austintexas.gov](mailto:maureen.meredith@austintexas.gov); Planning and Development Review Department

This item was withdrawn by the applicant; no action was required.

- 6. Rezoning: C14-2012-0140 - Street and Bridge Operations Central District Office**
- Location: 3511 Manor Road, Tannehill Branch Watershed, East MLK Combined NPA
- Owner/Applicant: City of Austin, Public Works Dept.
- Agent: City of Austin, Public Works Department (Peter Davis)
- Request: LO-V-NP; GR-NP; GR-V-NP to CS-MU-CO-NP, as amended
- Staff Rec.: **Recommendation of CS-MU-CO-NP, with conditions; Postponement request by Staff until June 25, 2013**
- Staff: Heather Chaffin, 974-2122, [heather.chaffin@austintexas.gov](mailto:heather.chaffin@austintexas.gov); Planning and Development Review Department

The motion to postpone to May 28, 2013 by the request of staff was approved by Commissioner Alfonso Hernandez's motion, Commissioner Jean Stevens seconded the motion on a vote of 5-4; Commissioners Richard Hatfield, James Nortey, Dave Anderson and Myron Smith voted against the motion (nay).

- 7. Rezoning: C814-2012-0160 - 211 S Lamar**
- Location: 211 South Lamar Boulevard, Lady Bird Lake Watershed, South Lamar Combined NPA
- Owner/Applicant: Post Paggi, LLC
- Agent: Winstead PC (Amanda Swor)
- Request: CS & CS-V to PUD
- Staff Rec.: **Postponement Request by Staff to May 14, 2013**
- Staff: Lee Heckman, 974-7604, [lee.heckman@austintexas.gov](mailto:lee.heckman@austintexas.gov); Planning and Development Review Department

The motion to postpone to May 14, 2013 by the request of staff, was approved on the consent agenda by Commissioner Jean Stevens' motion, Commissioner Richard Hatfield seconded the motion on a vote of 9-0.

- 8. Rezoning: C14-2013-0028 – USPS**  
Location: 805 Neches Street, Town Lake Watershed, Downtown NPA  
Owner/Applicant: United States Postal Service (Jane Bjork)  
Agent: Jim Bennett Consulting (Jim Bennett)  
Request: CS-1 & MF-4 to DMU  
Staff Rec.: **Recommendation of DMU-CO**  
Staff: Clark Patterson, 974-7691, [clark.patterson@austintexas.gov](mailto:clark.patterson@austintexas.gov);  
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for DMU-CO zoning, was approved by Commissioner Alfonso Hernandez's motion, Commissioner James Nortey seconded the motion on a vote of 7-2; Commissioners Jean Stevens and Myron Smith voted against the motion (nay).

- 9. Site Plan - Conditional Use Permit: SPC-2012-0104D - Barton Springs Pool General Grounds Improvements**  
Location: 2201 Barton Springs Road, Barton Creek Watershed-Barton Springs Zone; Town Lake Watershed, Zilker NPA  
Owner/Applicant: City of Austin - PARD (Gary Gregson)  
Agent: Stansberry Engineering (Blayne Stansberry, P.E.)  
Request: Approval of a conditional use permit because the site is over 1 acre and zoned P, Public [LDC Section 25-2-625(D)(2)]  
Staff Rec.: **Recommended**  
Staff: Nikki Hoelter, 974-2863, [nikki.hoelter@austintexas.gov](mailto:nikki.hoelter@austintexas.gov);  
Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for a conditional use permit for Barton Springs Pool General Grounds Improvements, was approved on the consent agenda by Commissioner Jean Stevens' motion, Commissioner Richard Hatfield seconded the motion on a vote of 9-0.

- 10. Site Plan- Compatability Waiver: SP-2012-0440C - Austin Chinese Church, New Sanctuary Building**  
Location: 11118 Dessau Road, Walnut Creek Watershed, Windsor Hills NPA  
Owner/Applicant: KA Leung Lee (Austin Chinese Church)  
Agent: Thuan Nguyen (Chan & Partners Engineering, LLC)  
Request: Request for a variance to encroach into a 25' compatibility setback.  
Staff Rec.: **Recommended**  
Staff: Amanda Couch, 974-2881, [amanda.couch@austintexas.gov](mailto:amanda.couch@austintexas.gov);  
Planning and Development Review Department

This item was pulled from the agenda; no action was required.

- 11. Resubdivision: C8-2012-0157.0A - RREEF Domain Block U Subdivision**  
Location: 3100 Esperanza Crossing, Walnut Creek Watershed, North Burnet NPA  
Owner/Applicant: RREEF Domain, LP (Chad Marsh)  
Agent: Bury & Partners, Inc. (Nick Brown)  
Request: Approval of the RREEF Domain Block U Subdivision composed of 4 lots on 126.763 acres.  
Staff Rec.: **Recommended**  
Staff: Don Perryman, 974-2786, [don.perryman@austin.texas.gov](mailto:don.perryman@austin.texas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for approval of the RREEF Domain Block U Subdivision, was approved on the consent agenda by Commissioner Jean Stevens' motion, Commissioner Richard Hatfield seconded the motion on a vote of 9-0.

- 12. Final Plat - Resubdivision: C8-2012-0120.0A - Lot 7, Phase 2, Crestview Station; Resubdivision of**  
Location: 905 Banyon Street, Waller Creek Watershed, Crestview NPA  
Owner/Applicant: Trammel Crow Central Texas (James Matoushek)  
Agent: Gray & Associates, Inc. (Brian A. Williams)  
Request: Approval of the Lot 7, Phase 2, Crestview Station composed of 77 lots on 7.035 acres.  
Staff Rec.: **Recommended**  
Staff: David Wahlgren, 974-6455, [david.wahlgren@austintexas.gov](mailto:david.wahlgren@austintexas.gov); Planning and Development Review Department

Public hearing closed.

The motion to approve staff's recommendation for approval of the Lot 7, Phase 2, Crestview Station, was approved on the consent agenda by Commissioner Jean Stevens' motion, Commissioner Richard Hatfield seconded the motion on a vote of 9-0.

- 13. Final Plat with Preliminary: C8J-2010-0062.4A - Village @ Northtown Section 2 Phase 2 Final Plat**  
Location: North Heatherwilde Boulevard, Harris Branch Watershed  
Owner/Applicant: Village @ Northtown, Ltd. (Clifton Lind)  
Agent: Cunningham-Allen Inc. (Jana Rice)  
Request: Approval of the Village @ Northtown Section 2 Phase 2 Final Plat composed of 64 lots on 6.008 acres.  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department

- 14. Final Plat; Amended Plat:** **C8-2013-0061.0A - Lots 5, 6, 7, Block A Barstow; Amended Plat**  
Location: 6705 Melava Court; Slaughter Creek Watershed  
Owner/Applicant: Barstow Village, LLC (Bruce Mills)  
Agent: Hector Avila  
Request: Approval of Lots 5, 6, 7, Block A Barstow; Amended Plat composed of 3 lots on 0.69 acres.  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department
- 15. Final Plat; Amended Plat:** **C8-2013-0070.0A - Pleasant Grove Addition Lots 3 & 4 Block 2; Amended Plat**  
Location: 1307 West 39<sup>th</sup> ½ Street; Shoal Creek Watershed, Rosedale NPA  
Owner/Applicant: Robert, Aaron & Brandy Mueller  
Agent: Steve Wenzel  
Request: Approval of the Pleasant Grove Addition Lots 3 & 4 Block 2; Amended Plat composed of 2 lots on 0.629 acres.  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department
- 16. Resubdivision:** **C8-2013-0057.0A - Rainey and Driskill**  
Location: 95 Rainey Street, Town Lake/Waller Creek Watersheds, Downtown NPA  
Owner/Applicant: Austin Rainey St D/E/P, LLC (Curtis Burnett)  
Agent: Bury & Partners, Inc. (Jonathan McKee, P.E.)  
Request: Approval of the Rainey and Driskill composed of 1 lot on 2.213 acres  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department
- 17. Resubdivision:** **C8-2013-0067.0A - Oscar Snowden Subdivision; Resubdivision of Lot 1**  
Location: 4812 North IH 35 Service Road Southbound, Boggy Creek Watershed, North Loop NPA  
Owner/Applicant: Mackey Adams Properties, Inc (Harry L Mackey)  
Agent: MFH Engineering (Martha Mangum)  
Request: Approval of the Oscar Snowden Subdivision; Resubdivision of Lot 1 composed of 4 lots on 1.993 acres  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department

- 18. Final Plat; Amended Plat:** **C8-2013-0066.0A - South Shore Retail; Amended Plat**  
Location: 1920 East Riverside Drive; Town Lake Watershed, Riverside NPA  
Owner/Applicant: Grayco SS Land 2011, LP (John J Gray III) Grayco SS Phase I 2011, LP (John J Gray III)  
Agent: Pape-Dawson Engineers (James McCann, P.E.)  
Request: Approval of the South Shore Retail; Amended Plat composed of 2 lots on 8.751 acres  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department
- 19. Final Plat:** **C8J-2010-0062.3A - Village at Northtown Section 2, Phase 1-Final Plat**  
Location: North Heatherwilde Boulevard, Harris Branch/Walnut Creek Watersheds  
Owner/Applicant: Village @ Northtown, Ltd. (Clifton Lind)  
Agent: Cunningham-Allen Inc. (Jana Rice)  
Request: Approval of the Village at Northtown Section 2, Phase 1-Final Plat composed of 46 lots on 12.746 acres.  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department
- 20. Preliminary Plan/Revised:** **C8J-03-0159.03 - Village at Northtown Preliminary Plan Revision No. 3**  
Location: North Heatherwilde Boulevard, Harris Branch/Walnut Creek Watersheds  
Owner/Applicant: Village @ Northtown, Ltd. (Clifton Lind)  
Agent: Cunningham-Allen Inc. (Jana Rice)  
Request: Approval of the Village at Northtown Preliminary Plan Revision No. 3 composed of 37 lots on 326.71 acres.  
Staff Rec.: **Disapproval**  
Staff: Planning and Development Review Department

Public hearing closed.

The motion to disapprove Items #13-20, was approved on the consent agenda by Commissioner Jean Stevens' motion, Commissioner Richard Hatfield seconded the motion on a vote of 9-0.

## **D. NEW BUSINESS**

### **1. New Business: Initiate a Code Amendment - Historic Landmark Commission Public Hearing Deadlines**

Request: Amend Chapter 25-11-213 (F) of the City Code to allow the Historic Landmark Commission up to 60 days to hold a public hearing on an application in order to meet code requirements for public notice.

Staff: Steve Sadowsky, 974-6454, [steve.sadowsky@austintexas.gov](mailto:steve.sadowsky@austintexas.gov);  
Planning and Development Review Department

Public hearing closed.

The motion to direct staff to initiate a code amendment for Historic Landmark Commissioner public hearing deadlines, was approved on the consent agenda by Commissioner Jean Stevens' motion, Commissioner Richard Hatfield seconded the motion on a vote of 9-0.

### **2. New Business:**

Request: Discussion and action on approving the 2012 Annual Report and Work Plan for 2013.

Public hearing closed.

The motion to approve the 2012 Annual Report and Work Plan for 2013, was approved on the consent agenda by Commissioner Jean Stevens' motion, Commissioner Richard Hatfield seconded the motion on a vote of 9-0.

## **E. SUBCOMMITTEE REPORTS**

## **F. ADJOURN**

**Chair Dave Anderson adjourned the meeting without objection at 7:58 p.m.**